

# Exhibit 48

*United States of America ex rel. Ven-a-Care of the Florida Keys, Inc. v. Boehringer Ingelheim Corp. et al.*

Civil Action No. 07-10248-PBS

Exhibit to the July 24, 2009, Declaration of James J. Fauci  
In Support of Plaintiff's Motion for Partial Summary Judgment and  
In Opposition to the Roxane Defendants' Motion For Partial Summary Judgment

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**From:** MAYHEW, CHERI ROXUS [ROXUS/ROXUS1/MAYHEW]  
**Sent:** Monday, December 08, 1997 5:09 PM  
**To:** WATERER, JUDY ROXUS  
**Cc:** FELDMAN, RICHARD ROXUS; TUPA, EDWARD ROXUS  
**Subject:** Pricing Books

**Importance:** High

Just an FYI --

I discussed with Kathy from First Data Bank, that we no longer want to publish or supply to them our WAC prices. It's okay with them that we do not supply the WAC price. However, there are approximately 10 states that use WAC for state Medicaid, instead of the AWP. She informed me that these states will use the last published WAC to determine state Medicaid for those states. So if we decide not to supply them with WAC for price increases they will use old pricing. She did not address new products.

Cheri

PS Kathy can be reached at 415-872-4521

